

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

John W. Miller,
Plaintiff,

v.

Apple Inc., et al.,
Defendants.

Case No. 1:25-cv-1172 (JPC)

Since the Magistrate Judge is procedurally disqualified

**MOTION FOR CLARIFICATION AND REINSTATEMENT OF CM/ECF FILING PRIVILEGES
SINCE PLAINTIFF HAS 14 DAYS TO RESPOND TO THE R&R**

Plaintiff John W. Miller respectfully submits this motion to seek clarification regarding the revocation of his CM/ECF filing privileges and to request their reinstatement.

1. Background: On April 16, 2025, the Court issued an Order revoking Plaintiff's electronic filing privileges. This action was taken despite Plaintiff not having filed any response to the Report and Recommendation (ECF No. 180) issued by Magistrate Judge Robyn F. Tarnofsky.

2. No Violation of Rules: Plaintiff has not violated any court rules or orders. The only recent filing was a Motion to Strike the Report and Recommendation (ECF No. 185), which was submitted in accordance with procedural rules and without any indication of impropriety.

3. Right to Respond: Plaintiff notes that, under Federal Rule of Civil Procedure 72(b)(2), he has 14 days after being served with a copy of the recommended disposition to serve and file specific written objections. The revocation of CM/ECF privileges impedes this right.

4. Request for Clarification: Plaintiff seeks clarification on the specific reasons for the revocation of CM/ECF privileges, as the basis for this action is unclear given the absence of any rule violations or improper conduct.

5. Request for Reinstatement: In light of the above, Plaintiff respectfully requests that the Court reconsider its decision and reinstate his CM/ECF filing privileges to allow for the efficient and timely prosecution of this case.

WHEREFORE, Plaintiff respectfully requests that the Court:

- Provide clarification on the reasons for the revocation of CM/ECF filing privileges;
- Reconsider and reinstate Plaintiff's CM/ECF filing privileges; and
- Grant any other relief the Court deems just and proper.

Respectfully submitted,

/s/ John W. Miller

John W. Miller, American Inventor

33 Gill Rd.

Waltham, MA 02453

(510) 710-5239

jwmiller382@icloud.com

Dated: April 17, 2025

The request is denied. The Court explained the basis for the revocation of Plaintiff's electronic filing privileges in its April 16, 2025 Order, Dkt. 186. The Clerk of Court is respectfully directed to close Docket Number 192.

SO ORDERED.

Date: April 21, 2025

New York, New York

A handwritten signature in black ink, appearing to read "John P. Cronan", written over a horizontal line.

JOHN P. CRONAN

United States District Judge